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PRINCIPLES OF COMMON LAW PLEADING. By J. J. McKelvey. New York: Baker, Voorhis, & Company. 1894. pp. xx. 193.

The two standard works on Pleading are both excellent and satisfactory for their purposes, — Chitty as a well-arranged collection of authorities for the practitioner, and Stephen as a clear and adequate statement for lawyers and for more advanced students. There is, however, a demand for a third kind of text book, one which shall state clearly for the beginner in terms adapted to his slight knowledge of the law, the elementary principles which at least every well-educated lawyer must know in order to understand the history of the law and the decisions made during the long period when common-law pleading ruled the forms and affected the substance of the decided cases. This demand Mr. McKelvey has attempted here to supply. In Part I., some sixty-seven pages, he gives a clear statement of the essential principles of the different forms of actions, intended to make plain to the beginner the divisions into which the old remedies of this system of pleading naturally cast the substantive rights of action. In Part II., which occupies the rest of the book, he has followed the arrangement of Ames's Cases on Pleading in treating of the steps subsequent to the declarations in the respective actions. The net result is a plain and easily understood summary of the law of pleading.

The origin of the author's interest in the subject is well known ; and this, although it bears no marks of being a second edition, is in great part a publication of the summary of pleading which was printed but not published by this author some years ago. The preface of this edition, while not mentioning that fact, acknowledges with apparent frankness the author's debt to Prof. J. B. Ames, and the body of the book bears out the acknowledgment by the frequency of reference to Ames's Cases. This debt to Professor Ames, owed and acknowledged by almost all the recent graduates of the school who have published books upon the law, is in Mr. McKelvey's case of a somewhat greater degree and different kind.

R. W. H.

A TREATISE ON THE LAW OF MORTGAGES ON PERSONAL PROPERTY. By Leonard A. Jones. Fourth edition, revised and enlarged. Boston: Houghton, Mifflin, & Co. 1894. pp. xv. 886.

Mr. Jones's books are justly popular because of the way in which he goes over the ground, telling all the law statutory and common without becoming confused in the maze of decisions, criticising as well as merely stating the cases, and thereby rendering more efficient help than is given by those who simply reduce cases to propositions. His thoroughness in going over all the law makes necessary frequent additions, which have averaged in this case about seventy-five pages to each new edition, and how necessary these additions are is neatly shown in this edition by a note to sect. 415, which sums up the history of the peculiar doctrine that a mortgagor's possession of mortgaged goods with power of disposal makes the transaction fraudulent *per se*. In 1881, when the first edition was published, the State courts or Legislatures which had settled the question stood fourteen in favor of the doctrine to thirteen against, in 1883 they were twelve to seventeen, in 1888 sixteen to seventeen, and now in 1894 they are reckoned twenty to twenty. So also such matters as the provisions regulating the registry of mortgages of personalty and those regulating foreclosure, redemption, sale under powers, and so on, make necessary specific statement of the laws of the different States.

The constant changes must be noticed and the statements corrected up to a late date, so that frequent editions of such a book are necessary. This one contains not only additions to the matter and references to the recently decided cases, but also the references to all the regular reports of each case, new or old, so far as is practicable, thus greatly increasing the facility of reference.

R. W. H.

A TREATISE ON THE LAW OF BUILDING AND BUILDINGS. By G. Partlett Lloyd. Second edition, revised and enlarged. Boston and New York: Houghton, Mifflin, & Co. 1894. pp. l. 537.

The first edition of this book seems to have met with success and the second now appears, brought down to date. While there is, of course, no law of Buildings in the sense in which there is a law of Torts or of Partnership, there is a great body of law here collected, so that one who has to do with buildings or their construction can turn readily to the authorities upon all the points which would naturally be raised in the course of such business. Mr. Lloyd has shown successful industry in bringing this law into a shape convenient for ready reference, and this edition should prove to be a good tool to work with.

On the settled points of law it would seem that the statements contained in it may safely be relied upon, but an examination of the author's statements of disputed points, such as the law of *Fletcher v. Rylands*, covenants (such as party-wall agreements) running with the fee, and others, indicates that a slight overconfidence in the unanimity of the courts of different States has led to an attempt to consolidate jarring decisions and so to obscurity. Either a bad instance of this or an exception to the general accuracy is the statement of the law of fixtures, which is bad to the core. This, while not vital in a book which deals principally with construction, mechanics' liens, and the like, might well be corrected in future editions. But these places are few, and in the body of the book plain and accurate statements are the rule.

R. W. H.

A TREATISE ON THE LAW OF LIENS, COMMON LAW, STATUTORY, EQUITABLE, AND MARITIME. By Leonard A. Jones. Second edition, revised and enlarged. Boston: Houghton, Mifflin, & Co. 1894. 2 vols. 8vo. pp. xcix. 703, 770.

This treatise first appeared six years ago, as the last of the author's admirable series on the general subject of property securities. The seven volumes which comprise the series — four on mortgages, one on pledges, and two on liens — constitute a most comprehensive and judicious treatment of this branch of the law, of which Mr. Jones is now regarded as the ablest expounder.

The new edition of this treatise on liens is timely. The classification is precisely the same. Much new matter has been added to the text relating to mechanics' liens, and over twelve hundred new cases cited on this one topic. The arrangement of the authorities by States in alphabetical order, both in the text and notes, affords an easy and ready reference to those who consult them. In 1893 the law of liens was changed in no less than fifteen States, and it is because of this frequency of legislation that the present edition will be welcomed. Owing to minor changes, the size of the work is not materially increased.

H. A. R.